

**CRIMINAL DOCKET  
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<b>THE UNITED STATES</b>  <b>vs.</b>  <b>Carl Edward Napier</b>	<i>For U. S.:</i> Lawrence A. McSoud U. S. Attorney   <i>For Defendant:</i> Harvey W. Linn, Jr (Ct. Appt) 1425 South Main 407-3356 Tulsa, Okla. 74119

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 4-30-69	Clerk				
J.S. 3 mailed 4-30-69	Marshal				
Violation Embezzle funds of Community State Bank Title 18 Sec. 656	Docket fee				

DATE	PROCEEDINGS
4-2-69	Record vote of the Grand Jury, filed in open Court. b
4-2-69	Indictment, filed in open Court. b
4-2-69	Appearance bond of the defendant, in the amount of \$1,000.00, filed - surety - Roy Cramer. b
4-2-69	Order specifying methods and conditions of release, filed. b
4-22-69	Defendant present in person and represented. At request of defendant arraignment passed to Thursday, 4-24-69 at 11:00 A.M. and defendant remain on present bond. (AEB-J)h
4-24-69	Defendant present in person and represented. Defendant arraigned, copy Indictment delivered, reading waived, and enters a plea of GUILTY. It is adjudged that the defendant is GUILTY as charged, and sentence is passed pending Probation Report. (AEB-J)h
4-30-69	Defendant present in person and representd. Judgment and Sentence- Carl Edward Napier (Age 25)  Imposition of sentence is suspended and the defendant placed on probation for a period of Two (2) years from this date, pursuant to the Federal Youth Correction Act, T.18,USCA 5010(a). (AEB-J)h

DATE	PROCEEDINGS
4-30-69	Order of Probation filed and entered. (AEB-J)h
4-30-69	Two c.c. of above order delivered to Prob. Officer. h
4-3-70	Certificate of vacation of conviction, filed. (Allen E. Barrow, Judge)
4-3-70	Order of discharge from procation, filed. (Allen E. Barrow - Judge) b

## UNITED STATES COMMISSIONER

Northern DISTRICT OF Oklahoma

## RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Benjamin B. Ballenger  
(Name of commissioner)411 U. S. Court House, Tulsa, Oklahoma  
(Address)COMMISSIONER'S  
DOCKET NO. 1 CASE NO. 471  
THE UNITED STATES  
vs.

Carl E. Napier (25)

Complaint filed on Feb. 24th 1969 by Dale M. Williams  
 Official title Special Agent, F.B.I., charging violation of  
 United States Code, Title 18, Section 656, on 8-2-68 to  
 2-7-1969, at Tulsa in the  
 division of the Northern district of Oklahoma  
 as follows: did, while employed as a discount teller  
 at Community State Bank, Tulsa, Ok. insured by FDIC  
 did misappropriate and embezzle \$581.30, by withhold-  
 ing late charges on loan payments which sum he convert-  
 ed to his own use and benefit.

(Here insert brief summary of facts constituting offense charged)

## WARRANTS OR SUMMONS ISSUED:

Date February 24, 1969 Warrant/Summons for Carl E. Napier  
 (Name of defendant)  
 to (name and title of officer) the United States Marshal or any other authorized officer  
 Substance of return arresty Carl E. Napier Feb. 24, 1969 by O'Neil L. Cobb,  
 deputy marshal.  
 Date Warrant/Summons for  
 (Name of defendant)  
 to (name and title of officer)  
 Substance of return

FILED

17,096  
FEB 28 1969

## PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER

M. M. EWING, CLERK  
 U. S. DISTRICT COURT  
 Date Feb. 24, 1969 Arrested by O'Neil L. Cobb  
 Deputy Marshal  
 without warrant.  
 (Name of Issuing officer)  
 Appearances { for United States Lawrence A. McSoud  
 (Name) (Address)  
 for accused  
 (Name) (Address)

Proceedings taken February 24, 1969 Defendant, Carl E. Napier, present in person

(Here insert with dates, when appropriate, a serial account of essential steps taken at hearing such as "complaint prepared,"

and not represented by counsel, advised as to his right to counsel and  
 if arr<sup>st</sup> is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"  
 a preliminary hearing. Waived counsel at this hearing, waiver signed.  
 if that is the fact; any adjournments taken, etc.

Defendant requests preliminary hearing and it is fixed at 9:00 A.M.,  
 Friday, February 28th, 1969. Bond fixed in the amount of \$1,000.00 to be  
 signed by father-in-law, Roy Cramer. Defendant released on bond to report  
 for preliminary on Friday, February 28th, 1969 at 9:00 A. M.

Outcome Held for preliminary

Bail fixed Feb. 24th, 1969 Amount, \$1,000.00 Bonded Feb. 24th, 1969, by cash  
 deposited by (name) Address  
 transmitted to clerk of district court, 19 [or] by surety  
 (name) Roy Cramer (father-in-law) Address 5629 W. 25th Pl., Tulsa, Ok. 74107  
 (name) Address, who  
 justified by affidavit dated, 19, [or] committed to released on bond  
 on Feb. 24, 1969.

SUBPOENAS FOR WITNESSES ISSUED:

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
 at request of (name of party) \_\_\_\_\_  
 Substance of return \_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
 at request of (name of party) \_\_\_\_\_  
 Substance of return \_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
 at request of (name of party) \_\_\_\_\_  
 Substance of return \_\_\_\_\_

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date February 28, 1969 Appearances for

{	United States	(Name)	<u>Lawrence A. McSoud, U.S.</u>
		(Address)	<u>Atty.</u>
	Accused	(Name)	<u>Harvey W. Linn, Court</u>
		(Address)	<u>appointed</u>

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing \_\_\_\_\_ names certified to United States Marshal for payment \_\_\_\_\_, 19\_\_\_\_  
 Proceedings taken \_\_\_\_\_

February 28, 1969 Defendant, Carl E. Napier, present in person  
 and represented by Harvey W. Linn, Court appointed  
counsel. Defendant waives preliminary and is permitted  
to stand on his bond heretofore made, for Court Action.

Outcome Released on bond, to report for Court Action

Bail fixed \_\_\_\_\_, 19\_\_\_\_ Amount, \$ \_\_\_\_\_ Bonded \_\_\_\_\_, 19\_\_\_\_, by cash  
 deposited by (name) \_\_\_\_\_ Address \_\_\_\_\_  
 transmitted to clerk of district court \_\_\_\_\_, 19\_\_\_\_  
 [or] by surety (names) \_\_\_\_\_ Address \_\_\_\_\_  
 and \_\_\_\_\_ Address \_\_\_\_\_  
 who justified by affidavit \_\_\_\_\_, 19\_\_\_\_ Committed to \_\_\_\_\_  
 on \_\_\_\_\_, 19\_\_\_\_

Certified to be a correct transcript.

Made this 28th day of February, 19 69

Transmitted to Clerk of United States District Court for the Northern  
 district of Oklahoma, February 28th, 1969



Benjamin B. Ballenger

United States Commissioner.